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FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

September 7, 1999

Magalie R. Salas, Secretary  
Federal Communications Commission  
445 12th Street, S.W., Room TWB-204  
Washington, DC 20554

Re: *Ex Parte*, CC Docket Nos. 96-98, 95-185

Dear Ms. Salas:

Pursuant to Section 1.1206(b)(2) of the Commission's Rules, MGC Communications, Inc. ("MGC") submits this notice, in the above-captioned docketed proceedings, of an oral and written *ex parte* made on September 7, 1999 with the following parties:

1. Commissioner Harold Furchtgott-Roth and his legal advisor Bill Bailey
2. Kyle Dixon, Commissioner Powell's legal advisor on Common carrier issues.

The presentation was made by Scott A. Sarem, Assistant Vice President of Regulatory Affairs from MGC and Ross A. Buntrock from Kelley Drye and Warren. During the meeting the parties discussed MGC's need for certain unbundled network elements. These proposed network elements were detailed in presentation materials and include information regarding the following topics:

- Access to unbundled loops, including loops located behind remote switches, access nodes, integrated digital loop carriers, etc.;
- Network interface devices and inside wire;
- Interoffice transport;
- Dark fiber;
- Cross-connects being included as part of the local loop; and
- Sub-loop unbundling as well as the ILECs' ability to provision sub-loops.

**LEGAL DEPARTMENT**

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Pursuant to Sections 1.1206(b)(2), an original and two copies of this *ex parte* notification and the accompanying presentation materials are provided for inclusion in the public record of the above-referenced proceeding. Please direct any questions regarding this matter to the undersigned.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Scott A. Sarem", with a long horizontal flourish extending to the right.

Scott A. Sarem

Asst. Vice president, Regulatory Affairs  
MGC Communications, Inc.  
(702) 310-4406

Enclosure

cc: Kent Heyman

# Who is MGC Communications?

- Facilities based CLEC providing competitive local voice and data services to Residential and Small Business Consumers in CA, NV, IL, GA, and FL. Expanding Network in 20 new markets.
- Collocated in approximately 250 ILEC Central Offices in Five States representing approximately 12 million addressable lines.
- Provide ubiquitous service through the leasing of unbundled loops from Incumbent Local Exchange Carriers
- Approximately 100,000 access lines provisioned on MGC switches.
- Service offerings to Residential and Small Business Consumers in the manner contemplated by the Telecommunications Act of 1996.
- Current Customer base is approximately 40% Residential and 60% Business.
- One of the Only CLECs providing facilities based residential service.
- Raised over \$440 million dollars through debt and equity to deploy a facilities based local network as permitted by the Telecommunications Act of 1996.

# MGC Communications

## Proposed Unbundled Network Elements

- Loops

- These are bottleneck facilities
- All loops should be designated as UNE's so that ubiquitous competition will develop in all sectors of the local market.
  - xDSL capable loops.
  - Loops served by pair gain or digital loop carriers.
    - There should be no special construction charges.
    - ILEC comparisons.
  - Cross-Connects should be included as part of the loop.
  - Subloop Elements.
  - All loops should be priced under forward looking TELRIC Methodology.

- Interoffice Transport

- FCC must clarify that transport is both between ILEC offices, and between an ILEC office and a CLEC point of presence.
  - ILECs should not be allowed to gate competition by refusing to build additional UNE inter-office transport
  - There must be a clear rule that requires ILECs to provide access to Dark Fiber

Post-it* Fax Note 7671		Date 1/7	# of pages 1
To RICK HEATTER		From JILL GIROUX	
Co./Dept. MGC		Co. MGC	
Phone # x4272		Phone # 2582	
Fax # 702-310-5689		Fax # 847-768-9548	

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DATE: 01/06/99	TIME: 3:20 PM
TC NAME: MGC COMMUNICATIONS	ORIGINATOR: DIANE LEGG
VOICE #: 847 768-2620	FAX #: 847 768-9548
END USER NAME: MGC COMMUNICATIONS	
PON: 30-00000117	ORDER NO: C2485044149
FACILITY CHARGES FOR: PF FLEX UNIT ELECTRONIC DEVICE, THE CUST MUST BE WILLING TO LET AMERITECH DISC THREE OF THEIR WORKING LINES TO INSTALL AND TURN UP THIS EQUIPMENT. THE LINES WILL BE OUT OF SERVICE FOR ONE DAY THE CUST MUST SPECIFY THE LINES TO BE USED.	
EQUIPMENT/MATERIAL:	\$ 1853.30
OTHER: PLANT LABOR COST	\$ 4144.92
TECH TIME:	\$
ENGINEERING TIME:	\$ 968.00
COMMON & SHARED COST:	\$ 2399.86
TOTAL:	\$ 9366.08
IF ACCEPTED BY (DATE): 01-07-99	SERVICE DATE WILL BE: 02-18-98

CHARGES **ACCEPTED** BY: \_\_\_\_\_ DATE: \_\_\_\_\_CHARGES **DECLINED** BY: \_\_\_\_\_ DATE: \_\_\_\_\_

By authorizing Ameritech to commence special construction as described herein.

MGC COMMUNICATIONS

I) agrees to pay Ameritech the special construction charges required to make available the facilities subject to this special construction request and 2) expressly waives its rights, if any to dispute the special construction charges in the amount identified in this quote. All quotes provided will be completed with the best knowledge known to Ameritech at the quote time. Customers will have the ability to approve any additional special construction not contained in the quote, if applicable.

FROM: AMY KONTOWICZ  
MILWAUKEE, WI 53202

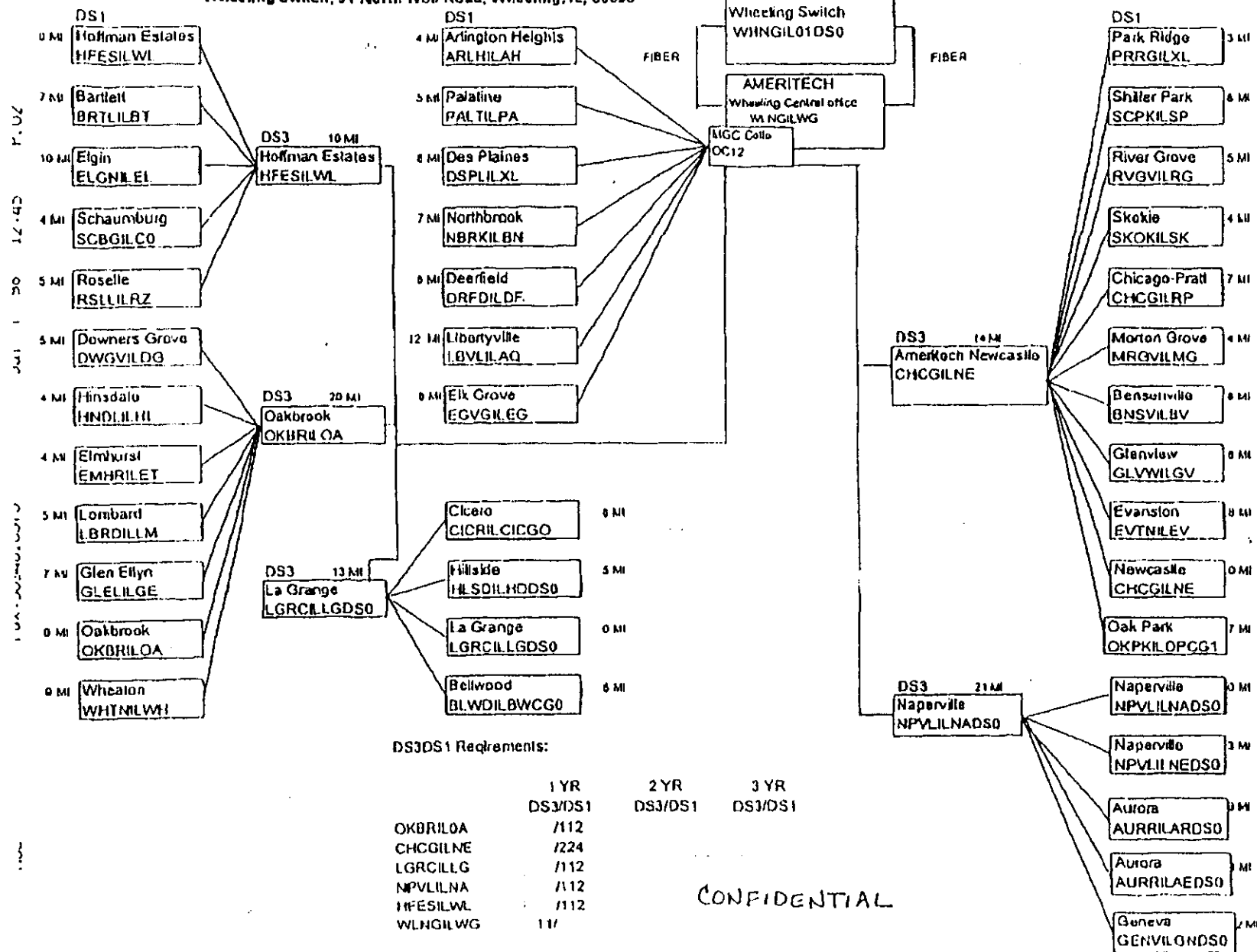
804 N. MILWAUKEE FLOOR 4

FAX # (414) 227-6917

VOICE #: (800) 924-3666 EXTENSION: 2008

11/2/98

**MGC COMMUNICATIONS CHICAGO COLLO NETWORK**  
 Wheeling Switch, 31 North Wolf Road, Wheeling, IL, 60090



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